

The State Board of Education/State Board for Vocational Education held its regular meeting on Thursday, July 19, 2012, in the Cabinet Room of the John G. Townsend Building, Dover, Delaware.

Present were: Jorge L. Melendez, Vice President; G. Patrick Heffernan, Randall L. Hughes, II, Barbara B. Rutt, Dr. Terry M. Whittaker, and Mark T. Murphy, Executive Secretary and Secretary of Education. Donna R. Johnson, who serves as the State Board's Executive Director, was also present.

Also in attendance were Catherine Hickey, Deputy Attorney General and legal counsel for the State Board of Education; Daniel E. Cruce, Deputy Secretary of Education and Chief of Staff; Dr. Linda B. Rogers, Associate Secretary for Teaching and Learning; and Karen Field Rogers, Associate Secretary for Financial Reform and Resource Management.

Attending portions of the meeting in conjunction with agenda items: Dr. James L. Wilson, Dr. Michael Stetter, Dr. Susan Haberstroh, Brian Touchette, Noreen LaSorsa, Shannon Holston, Chantel Janiszewski, Sara Kerr, John Carwell, and Alison Kepner.

Also attending: John Hindman, Deputy Attorney General; Rebecca Taber, Office of the Governor; Deb Stevens, Delaware State Education Association (DSEA); Susan Francis, Delaware School Boards Association (DSBA); Kristin Mullen, Governor's Advisory Council for Exceptional Citizens; Kendall Massett, Delaware Charter School Network; Dave Koch, Blackboard and Melissa Hopkins, Rodel Foundation.

Call to Order

Vice President Melendez presided over the monthly meeting and called the meeting to order at 1:04 p.m. He welcomed all guests to the State Board's public meeting.

Approval of Agenda

The first order of business was approval of the agenda. Mr. Melendez announced that the Budget Committee was unable to meet due to a lack of a quorum so the agenda item III B.2 is amended to be a Research Committee report and proposal. A motion was made by Dr. Whittaker to approve the agenda as amended. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:

Nays:

Mr. Melendez
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

Approval of Minutes

The Board received a copy of the minutes prior to the meeting. A motion was made by Mrs. Rutt to approve the minutes of the State Board Work Session held on June 6, 2012. The motion was seconded by Dr. Whittaker and carried with the following vote recorded:

Ayes:	Nays:
Mr. Melendez	None.
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

A motion was made by Dr. Whittaker to approve the minutes of the State Board Work Session held on June 21, 2012. The motion was seconded by Mr. Heffernan and carried with the following vote recorded:

Ayes:	Nays:
Mr. Melendez	None.
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

The Board received a copy of the minutes from regular meeting prior to the meeting. A motion was made by Dr. Whittaker to approve the minutes of the State Board regular meeting of June 21, 2012. The motion was seconded by Mrs. Rutt and carried with the following vote recorded:

Ayes:	Nays:
Mr. Melendez	None.
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

Formal Public Comment

It was indicated that this was the time the Board set aside for formal public comment. Mr. Melendez announced that no individuals signed up to address the State Board.

Election of Vice President

It was explained that by statute, the July State Board meeting is the annual meeting of the State Board. Each year at this meeting, the Board elects one of its members to serve as Vice-President. Mr. Melendez asked for nominations. Dr. Whittaker nominated Mr. Melendez to serve as Vice President and the nomination was seconded by Mrs. Rutt. There were no additional nominations. Mr. Melendez accepted the nomination.

A motion was made by Dr. Whittaker that the Board approve the nomination of Jorge Melendez as State Board Vice President for the 2012-2013 school year. The nomination was seconded by Mr. Heffernan and carried unanimously by voice vote.

Committee Reports from State Board Members

Mrs. Rutt attended the Research Committee meeting that was held prior to the meeting.

Mr. Heffernan also attended the Research Committee meeting and noted he would be providing a report later on the agenda.

Ms. Johnson informed the State Board that her monthly activities update was available on eBoards for review along with other informational items for State Board. She asked that Board members respond on their interest to serve on the various committees as well as State Board Subcommittees. Information was also posted on the National Association of State Boards of Education (NASBE) Conference and the National Association of Charter School Authorizers Conference. Board members were asked to respond if they were interested in attending.

Ms. Johnson noted that a survey was also posted for Board members on their availability for the Board's Winter Retreat. The Board was reminded that the State Board would be meeting with local board members and charter school board members on August 16th after its regular Board meeting. That meeting will focus on ESEA flexibility and will also offer the opportunity for local board members to meet Secretary Murphy.

Research & Budget Committee Report and Proposal

Mr. Heffernan reported that the Research Committee met earlier to review a new proposal by Public Impact. The new proposal was requested by the Board at its June meeting due to the amendments and additional clarifications requested from the original proposal. Mr. Heffernan noted that the new proposal indicates that the work needs to be done on behalf of and for the Department. The Board has funding available for research and the Department will enter into the contract with Public Impact. He said that it was the recommendation of the Research Committee that the Board provide funding of \$20,000 to allow the Department of Education to enter into a contract with Public Impact to provide the services indicated in the amended letter for the continued development of the charter school academic framework.

Mr. Heffernan made a motion to accept the recommendation of the State Board Research Committee as presented. The motion was seconded by Mrs. Rutt.

Mr. Melendez stated that although the Budget Committee was unable to meet, as Chair of that Committee, he reviewed the Public Impact proposal and sees that it dovetails with the Board's mission and goals. In addition, there are funds in the Board's FY '13 budget for this proposal.

The motion carried unanimously with the following vote recorded:

Ayes:	Nays:
Mr. Melendez	None.
Mr. Heffernan	
Mr. Hughes	
Mrs. Rutt	
Dr. Whittaker	

Recognition of Former Board Member Dr. James L. Wilson

Mr. Melendez stated that this presentation was an opportunity for the State Board to formally recognize former State Board member Dr. James L. Wilson. Dr. Wilson was presented with the State Board's Order of Excellence as well as a gift from the members of the State Board to thank him for his three years of service. Dr. Wilson stated that it was a pleasure to serve on the State Board.

DCAS 2011-2012 Statewide Student Assessment Scores

Dr. Mike Stetter, Director, Accountability Resources, presented the annual state summary results of the Reading, Mathematics, Science, and Social Studies Assessments. He noted that the Alternate Assessment results would be presented in August. It was explained that students were offered the opportunity of two spring assessments with the second opportunity being optional. The second opportunity allowed schools, teachers, and students to focus on areas needing more work. The data reports scores based on the higher of the two test-taking opportunities, which aligns with federal and state reporting requirements and gives a true snapshot of student performance.

Dr. Stetter indicated that based on students' highest test results proficiency rates for all students are up between 2 and 7 percentage points from those reported using the "last test" calculation. Some highlights of the results show:

- Statewide, students made substantial gains in reading and math in every grade level
- Science and social studies growth was less substantial than reading and math
- Increases in proficiency occurred across all major subgroups and in many cases resulted in a narrowing of achievement gaps; however, a persistent gaps still remains

- Partnership Zone schools' year-over-year growth outpaced the relevant state grade-band averages in both reading and math; however, proficiency in all but one school remains below the statewide average

For reading, there was an increase of 12 percentage points with 73% of Delaware's students being proficient representing an additional 10,054 students proficient in reading. Dr. Stetter reported that Math proficiency increased across all grade bands and subgroups to 72% this year, an increase of 10 percentage points, representing an additional 9,084 students proficient in math.

Dr. Stetter stated that for Science there were small gains in student proficiency of one to three percentage points. He noted that the participation rates were down especially at tenth grade with a rate of only 87%. The decline may have been from the confusion that some schools had mistakenly thinking that if students took the Biology end of course exam they were exempt from the DCAS Science assessment. Social Studies proficiency was 68% and 57% in grades 4 and 7, respectively, which represents a 2 to 4 percentage point increase from the previous year.

There was discussion on scores of students with disabilities, the elimination of the "reading aloud" accommodation as well as test security. The Board asked for additional information on subgroups and trend data. Mr. Stetter agreed to follow up with those Board on those specific questions and provide more detailed data and analysis regarding those questions.

DCAS Alternate Assessment

Mr. Brian Touchette, Education Associate, Alternate Assessment, presented details from the DCAS-Alt 1 Standard Setting reviews. He explained that the Alternate Assessment is administered to approximately 1100 students and reminded the Board that the interim standards were approved last year. Mr. Touchette explained that once the standards have been approved the scores can be calculated. There were 40 panelists for the standard setting representing teachers, schools, districts and the community. The Alternate Assessment standards need to be as rigorous as DCAS and just as challenging for its students. The panelists were to establish "meets the standard", "below the standard" and "well below the standard." The results of the fall assessments were reviewed to study the impact of the cut scores. The Board will receive additional information and be asked to confirm the standards at its August State Board meeting.

Governor's Education Agenda

Sara Kerr, Chief Officer for the Delivery Unit gave the State Board an update on performance evaluation dashboards. The dashboards provide a snapshot of districts' progress against their Race to the Top goals, key state performance measures, and district-specific performance measures. They also serve as the primary focus of performance evaluations, which are used in conjunction with progress reviews to determine the effectiveness of districts' Race to the

Top initiatives. Ms. Kerr provided a summary and explained that during the 2011-12 school year, a total of 82 district routines occurred as follows:

- Fall progress reviews: All 19 districts participated; 5 districts had specific follow-up/support
- Mid-Year performance evaluations: 12 Group 1 mid-year performance evaluations based on performance and grant size; 2 Group 2 mid-year evaluations due to concerning mid-year performance trends
- Mid-Year follow-up calls: 9 districts were asked to complete corrective action plans following a one-on-one call with the Secretary, based on relative rankings following mid-year evaluations
- Mid-Year follow up meetings: 3 lowest-performing districts had individual meetings with DOE following a one-on-one call with the Secretary.
- Spring progress reviews: 13 districts (all but those in highest category) participated in on-site visit and focus group discussions
- End-of-Year performance evaluations: All 19 districts participated; subset will have specific "expectations" and follow-up

The dashboards also provide information for schools on what is working and which areas need improvement. Ms. Kerr presented the Board with a sample district dashboard and provided an overview of the columns and the information contained in each column. She described how it can be used as a tool to analyze data to see where the biggest gains are and to look for gaps. She also provided the Board with the State overall performance dashboard and the Performance Dashboard Guidance document. Districts have access to individual school level data and the development of school level dashboards are being reviewed for possible further development.

Ms. Johnson informed the State Board that the dashboard is located on the Department's website and stated that the appropriate link would be supplied in this area of eBoard's meeting agenda for board member and public access.

The Board recessed from 2:55 p.m. to 3:06 p.m.

Legislative Wrap-up

Donna Johnson, State Board Executive Director, and Dr. Susan Haberstroh, Education Associate for Regulation Review, highlighted legislation from both sessions of the 146th General Assembly.

Legislation that has been signed by the Governor and highlighted included Senate Bill 260, which is the Budget Bill for Fiscal Year 2013; Senate Bill 172 which increased the size of the P-20 Council to include the President of the Delaware Parent-Teacher Association and the Secretary of the Department of Technology & Information; Senate Bill 248 with House Amendment 1 that requires a report to the General Assembly of TFA and alternate routes to teacher licensure and certification by January 20, 2015 and House Bill 264 with House Amendment 1 which permits students with an IEP up to age of 21 to receive the driver

education certificate in school. It was explained that House Bill 268 w/ House Amendment 1 adjusts the school bullying provisions and requires all reported instances of School bullying to be reported to Department as well as information of DOJ School Ombudsman posted in schools and provided to parents, students, and staff. The Department will be required to compile an annual school bullying report. It was noted that similar legislation, Senate Bill 193, has passed both the Senate and House and is awaiting the Governor's signature. This Act requires the development of a statewide, fact-based cyberbullying policy to be adopted by local school districts and charter schools. It also provides a means for the Department of Justice to assist in the defense of a district or school whose use of that statewide cyberbullying policy is subject to legal challenge. Finally, House Concurrent Resolution 57 was noted. It is a resolution that requires the development of a task force to review the practices for identification and services for gifted and talented students and to provide recommendations regarding gifted and talented programs. The report is due by March 31, 2012.

Secretary's Report, Review and Discussion

Secretary Murphy updated the State Board on Component 5 of DPAS II for teachers as it moves toward implementation. Teachers received a communication at the end of May as to what Component 5 would look like and a follow up update on June 29th announcing the full roll out which is scheduled for July 31st. The communication addressed alternate measures and the opportunity for districts to submit assessments they have developed to be approved by the Department as an alternate measure. The communication also notified teachers of training sessions scheduled for the middle of August. Schools are asked to send a team of three to a session. Secretary Murphy indicated that the current issue the Department is working on is the "teacher of record" and how to determine which teachers are instructing which students. Each teacher will receive an individual report on how their students scored and Mr. Murphy acknowledged that some mistakes are expected in the initial identification of the "teacher of record." The goal is to have a solution to this issue by next year when the policy goes into effect.

Mr. Murphy updated the Board on Component 5 for administrators and noted that their professional development will also begin next week. He provided an example of how to link district staff to student growth. There was discussion on if part of the roll out would include the Department in this evaluation.

Department of Education Regulations

275 Charter School (For Action)

Dr. Susan Haberstroh, Education Associate for Regulation Review, presented this regulation to the Board and indicated that the Secretary of Education is seeking the consent of the State Board of Education to amend 14 DE Admin. Code 275 Charter Schools. The amendments reflect the process for Performance Reviews as well as other amendments to align with specific Delaware Code revised during the 146th General Assembly. Comments were

received from the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities. The changes to the regulation were highlighted.

A motion was made by Mr. Heffernan to adopt revised regulation 14 Delaware Administrative Code 275 Charter Schools. The motion was seconded by Mrs. Rutt and carried unanimously with the following vote recorded:

Ayes:

Nays:

Mr. Melendez
Mr. Heffernan
Mr. Hughes
Mrs. Rutt
Dr. Whittaker

None.

The Board signed the appropriate Order.

Professional Standards Board

Ms. Johnson noted there were no items from the Professional Standards Board on the agenda but the PSB's quarterly report was included for the Board's information.

Charter Schools

Charter Performance Framework - Progress Update

John Carwell, Education Associate for Charter Schools, thanked the State Board for approving the funding for the addition work on the growth measures for the academic performance framework. Public Impact will look at the schools that serve special populations and it was noted that other authorizers around the region are struggling with the same issues. Mr. Carwell commented that on the financial framework, current law requires audits to be performed.

Mr. Carwell introduced Chantel Janiszewski, the Charter Office's newest employee. Ms. Janiszewski will work with the charter schools on the implementation of the charter performance framework. Ms. Janiszewski came to the Department from the Laurel School District where she was their curriculum supervisor.

Update on Conditions Placed on Reach Academy and Pencader/Charter School Update

Mr. Carwell provided an update on the two schools on probation, Reach Academy and Pencader Business and Finance Charter High School.

The Board asked about the projected enrollments of charter schools for the next school year. Mr. Carwell noted that charter schools are monitored and if necessary there is follow up by

the Department. The Board also asked about the monthly meeting with Pencader on its conditions. It was noted that to date all financial requirements of the probationary conditions have been met but the enrollment numbers are a concern as enrollment is lower than last year, currently it is 450 which is considerably lower than 508 at this time last year. It was also mentioned that the school does not have the carried over debt from last year.

The Board also asked about the enrollment at Moyer and it was reported that the enrollment is significantly below the number of students approved in its charter. The Board asked if there was a number threshold point to become concerned about a school's enrollment. Mr. Carwell responded that schools make adjustments to their budgets based on enrollment projections but financial viability can be an issue. There was discussion among the Board members on the impact of a school's academics when the school starts to struggling financially. Mr. Heffernan stated that the Board, as authorizers, has a responsibility and needs to be kept up to date on charter issues. His comment was "we don't know what we don't know" and that the Board has to ask questions to make sure they are living up to their obligation as authorizers. It was noted that the charter boards also have responsibilities and are responsible for their school and it is the responsibility of the charter board and charter office to inform the State Board instead of waiting for the state Board to ask the questions. The Board agreed that the charter school performance framework would address a lot of their questions and concerns.

Information Items

The information items on the agenda were noted.

Adjournment

There being no further business, a motion was made by Mr. Heffernan to adjourn. The motion was seconded by Dr. Whittaker and carried unanimously by voice vote. The meeting adjourned at 3:57 p.m.

Respectfully Submitted;

Mark T. Murphy, Executive Secretary
and Secretary of Education

An audio of the entire meeting is available on the State Board's website at:
<http://www.doe.k12.de.us/infosuites/ddoe/sbe/default.shtml>